



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

TEAMSTERS, LOCAL 633 OF N.H. c/w
INTERNATIONAL BROTHERHOOD OF TEAMSTERS,
CHAUFFERS, WAREHOUSEMEN, and HELPERS OF
AMERICAN

Petitioner

v.

SCHOOL ADMINISTRATIVE UNIT NO. 24, DR.
CYNTHIA MOWLES, IN HER CAPACITY AS
SUPERINTENDENT

Respondent

CASE NO. M-0614:1

DECISION NO. 89-83

APPEARANCES

Representing Local 633, Teamsters:

Thomas D. Noonan, Business Agent

Representing S.A.U. 24:

F. Donald Jones, Assistant Superintendent

Also in attendance:

Michael J. Trojano, Business Administrator
Sandra Burney, Principal, Maple Street School
Thomas Brackett, Buildings & Grounds Supervisor
Joseph Lucas, Night Custodial Leadman
Paul McGuire, Terminated custodian
John McGuire, Terminated custodian

BACKGROUND

Teamsters Local 633 filed unfair labor practice charges against the Hopkinton School District, S.A.U. #24, for terminating two custodians allegedly for their union activity.

The District denied the charges stating that the terminations were due to several reasons, specifically, not reporting to work when scheduled, not calling in, leaving work early and, unsatisfactory performance.

Hearing was scheduled and held in the Board Office in Concord on Thursday, December 28, 1989, however due to a last minute lack of quorum, the parties agreed to proceed with Alternate Chairman Jack Buckley acting as hearing officer.

FINDINGS OF FACT

Other than brief conversations of general nature with Mr. Brackett, Buildings and Grounds Supervisor, no evidence was presented to show that either Mr. McGuire or his son were involved in union activity or terminated as a result of such activity.

RECOMMENDED DECISION AND ORDER

After hearing opening statement from Local 633 Business Agent Tom Noonan, testimony from both terminated custodians and statement from Assistant Superintendent Jones, I find no evidence to support the allegation that union activity was the cause of dismissal of either custodian, therefore, I recommend that the Board (PELRB) dismiss the unfair labor charge.

Signed this 28th day of December, 1989.



JACK BUCKLEY, HEARING OFFICER

Above decision unanimously accepted. Jack Buckley, Chairman, Seymour Osman and James C. Anderson voting. Also present, Executive Director, Evelyn C. LeBrun.